

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 7 October 2013

Public Authority: Home Office
Address: 2 Marsham Street
London
SW1P 4DF

Decision (including any steps ordered)

1. The complainant requested information on 14 February 2013. The Home Office responded on 1 May 2013.
2. The Commissioner's decision is that the Home Office has breached section 10(1) of the FOIA.
3. The Commissioner does not require requires the public authority to take any further steps.

Request and response

4. On 14 February 2013 the complainant wrote to the Home Office (HO) requesting information.
5. The HO responded on 1 May 2013.

Scope of the case

6. The complainant contacted the Commissioner 18 March 2013 to complain about the way his request for information had been handled.
7. The Commissioner will consider the length of time taken by the HO to respond to the complainant's request for information under the FOIA.

Reasons for decision

8. Section 10(1) of FOIA states that:

'a public authority must comply with section 1(1) promptly and in any event not later than the twentieth working day following the date of receipt.'

9. The Commissioner notes that in order for the HO to have complied with the 20 day working limit set out in section 10, it should have responded to the complainant promptly and no later than the twentieth working day after receipt. In this case that would have been 14 March 2013. However, the HO did not respond until 1 May 2013.
10. The Commissioner therefore considers that the HO has breached section 10(1) of FOIA.

Right of appeal

11. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504
Fax: 0116 249 4253
Email: informationtribunal@hmcts.gsi.gov.uk
Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm
12. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
13. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Jon Manners
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